

Second, even if Burdette had tried to remove his State criminal case before he pleaded guilty, 28 U.S.C. § 1443(1) permits removal of state prosecutions only where State law formally

discriminates against a defendant based on his race. *State v. Haws*, 131 F.3d 1205, 1209 (7th Cir. 1997) citing *Georgia v. Rachel*, 384 U.S. 780 (1966) and *Chapman v. Houston Welfare Rights Org.*, 441 U.S. 600, 621 (1979). Because Indiana law does not formally discriminate based on race, this case could not have been removed.

Finally, even if removal was not procedurally impossible, Burdette's arguments are meritless. He argues that the State of Indiana does not have jurisdiction over him because he is an "Aboriginal, Indigenous Moorish American National." ECF 1 at 3. That is to say, because of his purported nationality, he is immune from prosecution for crimes he commits in the State of Indiana. However, "[r]egardless of an individual's claimed status of descent . . . that person is not beyond the jurisdiction of the courts. These theories should be rejected summarily, however they are presented." *United States v. Benabe*, 654 F.3d 753, 767 (7th Cir. 2011).

For these reasons, this case is **DISMISSED**. Pierre Burdette is **CAUTIONED** that if he files any other frivolous, malicious, or meritless lawsuit, he may be fined, sanctioned, or restricted.

SO ORDERED.

ENTERED: September 18, 2017

s/William C. Lee

William C. Lee, Judge
United States District Court